

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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DAVID B. TRACEY, et al., :
 :
 Plaintiffs, : Civil Action
 v. : No. 16-11620-NMG
 :
 MASSACHUSETTS INSTITUTE OF :
 TECHNOLOGY, et al., :
 :
 Defendants. :
----- X

TRANSMITTAL DECLARATION OF JAMES R. CARROLL

I, JAMES R. CARROLL, pursuant to 28 U.S.C. § 1746, declare and state as follows:

1. I am a member of the bar of the Commonwealth of Massachusetts and a Partner in the law firm Skadden, Arps, Slate, Meagher & Flom LLP, counsel for non-parties Abigail P. Johnson and FMR LLC in the above-captioned action.

2. I make this declaration in support of Non-Parties Abigail P. Johnson's And FMR LLC's Motion For A Protective Order and for the purpose of transmitting to the Court true and correct copies of the following documents:

| | |
|------------|--|
| Exhibit 1: | Plaintiffs' Witness List (Aug. 7, 2019) |
| Exhibit 2: | Plaintiffs' Press Release (Aug. 5, 2019) (<i>MIT Squanders Workers' Retirement Savings in Payments to Abigail Johnson and Fidelity in Return for Donations, Says Schlichter Bogard & Denton</i>) |
| Exhibit 3: | Deposition of John Harrington (Excerpts) (Nov. 29, 2018) |
| Exhibit 4: | Deposition of Michael Howard (Excerpts) (Mar. 15, 2019) |

I declare under penalty of perjury that the foregoing is true and correct. Executed
on August 19, 2019, in Boston, Massachusetts.

Dated: August 19, 2019
Boston, Massachusetts

Respectfully submitted,

/s/ James R. Carroll

James R. Carroll (BBO #554426)

SKADDEN, ARPS, SLATE

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